

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

BRANT OILFIELD MANAGEMENT
& SALES, INC. and OPTIDRILL S.A.,

Plaintiffs,

VS.

APS TECHNOLOGY, INC.,

Defendant.

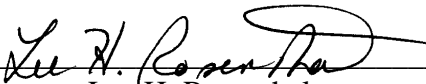
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CIVIL ACTION NO. H-13-2735

ORDER OF DISMISSAL WITHOUT PREJUDICE

In light of the related earlier-filed case pending between APS Technology and Brant Oilfield Management in the United States District Court for the Southern District of New York, *APS Technology, Inc. v. Brant Oilfield Mgmt. & Sales, Inc.*, No. 13-cv-6500 (S.D.N.Y.), and based on the first-filed rule, this court dismisses this case, without prejudice, pending the decision of the court in the Southern District of New York on the venue in which this litigation will proceed under 28 U.S.C. § 1404(a). The parties to this case will advise this court of the ruling of the Southern District of New York no later than 14 days after it is issued.

SIGNED on December 19, 2013, at Houston, Texas.



Lee H. Rosenthal
United States District Judge